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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AF/2700(BE)
3rd

In re Application of: B. Reilly BARRY et al.	**RESPONSE UNDER 37 CFR § 1.116** **EXPEDITED PROCEDURE** 9/20/02
Application Serial No.: 09/159,695	Corres. and Mail BOX AF Examiner: Jaroenchonwanit, B.
Filing Date: September 24, 1998	Group Art Unit: 2152
Attorney Docket No.: 09710-1121 Client Docket No.: COS-97-087	

COPY OF PAPERS ORIGINALLY FILED

For: INTEGRATED CUSTOMER INTERFACE SYSTEM FOR TELECOMMUNICATIONS MANAGEMENT

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Box AF, DIRECTOR OF PATENTS AND TRADEMARKS
Washington, DC 20231

AMENDMENT TRANSMITTAL LETTER

Transmitted herewith is an amendment in the above-identified application.

FEE CALCULATION	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREV. PAID FOR	NO. OF EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	109	MINUS	109	0	$18	$ 0.00
INDEP. CLAIMS	4	MINUS	4	0	$84	$ 0.00
☒ Petition is hereby made under 37 CFR § 1.136(a) to extend the time for response to the Office Action of July 23, 2002 to and through September 12, 2002, for an extension of: ☐ One month ($110) ☐ Two months ($400) ☐ Three months ($920) ☐ Four months ($1440)						$ 0.00
TOTAL ADDITIONAL FEE DUE:						$ 0.00

☐ Applicant claims small entity status. See 37 CFR § 1.27.

☒ No additional fee is required.

☐ Payment of $ ___ by Credit Card. Form PTO-2038 is attached.

☐ The Director is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account _____, including any filing fees under 37 CFR § 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR § 1.17

I hereby certify that this correspondence and all correspondence identified as accompanying this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on September 12, 2002.

Karlyn J. Geiger, Date: 9-12-02
Karlyn J. Geiger

Respectfully submitted,
DITTHAVONG & CARLSON, P.C.

Stephen C. Carlson
Reg. No. 39929

Date: September 12, 2002

O.I.P.E. 09/159,695
SEP 16 2002
PATENT & TRADEMARK OFFICE

#27(NE)
Patent
B. Bund
9/20/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: B. Reilly BARRY et al.	**Reply under 37 CFR 1.116 EXPEDITED PROCEDURE**
Application No.: 09/159,695	Examiner: Jaroenchonwanit, B.
Filed: September 24, 1998	Group Art Unit: 2152
Attorney Docket No.: 09710-1121 Client Docket No.: COS-97-087	COPY OF PAPERS ORIGINALLY FILED

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BOX AF
Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR WITHDRAWAL OF FINALITY AND RESPONSE UNDER 37 CFR 1.116

Dear Sir:

This is in response to the final Office Action of July 23, 2002, in which claims 1-43, 45-97, and 99-113 are pending.

The final Office Action mailed July 23, 2002 rejected claims 1-3, 58-60, and 112-113 under 35 U.S.C. § 102 as anticipated by *Cianfrocca et al.* (US 6,088,796), claims 50-55 and 104-109 as obvious under 35 U.S.C. § 103 over *Cianfrocca et al.*, claims 4 and 61 over *Cianfrocca et al.* in view of *Carroll* (US 6,105,131), claims 5 and 62 over *Cianfrocca et al.* in view of *Riggins* (US 6,131,116), claims 6-7 and 63-64 as obvious over *Cianfrocca et al.* and *Riggins* in view of *Radia et al.* (US 5,848,233), claims 8-9 and 65-66 over *Cianfrocca et al.*, *Riggins*, and *Radia et al.* in view of *Chung et al.* (US 6,012,090), claims 10-19 and 66-75 over *Cianfrocca et al.*, *Riggins*, and *Radia et al.* in view of Official Notice; claims 21-24 as obvious over *Cianfrocca et*

al., *Riggins*, and *Radia et al.* in view of *Elliott et al.* (US 5,610,915). Claims 25-43, 45-49, 76-97, and 99-103, and 110-111 have been objected to as allowable but dependent on a rejected base claim.

As a preliminary matter, the finality in the present Office Action is improper is respectfully requested. The present Office Action correctly withdrew the finality of the March 23, 2002 Office Action because claim 20 had been newly rejected when it had previously been deemed allowable. Nevertheless, the present Office re-imposed the finality because "Applicant's amendment necessitated the new ground(s) of rejection." However, the previous response filed May 10, 2002 did not amend any claim. Therefore, the imposition of finality is improper and should be withdrawn.

The rejection of claims 1-24, 58-75, and 112-113 is respectfully traversed because the references fail to teach or suggest the limitations of the claims. For example, independent claim 1 recites:

> one or more client applications integrated within a web-based GUI and **downloaded** from the one or more secure web servers according to pre-determined customer entitlements

Independent claim 58 recites:

> initiating a **download** of a web-based GUI from said secure web server, said downloaded web-based GUI of launching one or more of a plurality of client applications available to a customer according to pre-determined customer entitlements

Independent claim 112 recites:

> a client application integrated for use within the browser and **downloadable** from the web server in accordance with a predetermined customer entitlement, said client application programmed to be in interactive communications with the network management resource.

Independent claim 113 recites:

> initiating a **download** of a client application integrated for use within the browser in accordance with a predetermined customer entitlement, said client

application programmed to be in interactive communications with the network management resource

This feature is not shown in the applied references. For example, *Cianfrocca et al.* is directed to a secure access query system that includes a messenger system **103** which receives queries from a user over the Internet **101** and relays the queries to a firewall **104**, which acts as the intermediary to the application servers **105** inside the firewall **104**. Only the applications on the application servers **105** are allowed to access the database management system **106**. (col. 6:5-22) *Cianfrocca et al.* is primarily concerned with the implementation and functionality of the messenger system **103** and does not get into any detail on the client applications more relevant than they are "custom-written" (col. 17:14). In particular, *Cianfrocca et al.* fails to disclose whether the client applications are downloaded from a secure web server, much less whether that downloading is done "according to pre-determined customer entitlements."

The portions of *Cianfrocca et al.* cited in the Office Action for this feature do not support the rejection. Specifically, col. 14:20-24 is directed to the use of browsers as clients for distributed applications (col. 14:20-23) and discloses that distributed applications includes individual application programs that are "linked together by means of a single messenger system" (col. 14:24-27). This portion, however, includes no discussion of the details or even the existence of downloading client applications. In fact, col. 12:47–13:50 disclose that the application program resides on the application server, which must be **inside** the firewall, thereby teaching against downloading an application to a user browser, who is **outside** the firewall.

The remaining portions of *Cianfrocca et al.* also fail to disclose the downloading feature. FIG. 6 merely states that "Firewall does not allow any incoming traffic to the Database Server and Application Servers," with no discussion of downloading. Column 19:1-34 promotes another reason (and hence another teaching against) for keeping all the application servers **105**

and their application programs inside the firewall **104**. Column 20:8-32 discusses the use of a gateway but does not touch upon downloading applications. Finally, col. 6:28-35 locates the application on the application server **105** inside the firewall for security reasons.

The Examiner's response to arguments on p. 16, para. 42, of the Office Action o not directly address the downloading feature but merely hinted that downloading an application from a secure server would read upon authenticating a user to access an application server through a firewall. This reading is insufficient to disclose the downloading feature. In *Cianfrocca et al.*, granting the user access to the application server **105** through the firewall **104**, on the other hand, allows the user to send queries and other commands to the application server **105** (col. 6:38-49), without any disclosure of actually downloading an application from the application server **105**.

The secondary references, *Carroll*, *Riggins*, *Radia et al.*, *Chung et al.*, and *Elliott et al.* which were applied only for various details unrelated to downloading, also do not teach or suggest this feature.

Claims 10-9, 50-55, 66-75, and 104-109 have been rejected by taking Official Notice of certain features. Pursuant to the MPEP § 2144.03, Applicants respectfully resubmit the traversal of the Official Notice and request the Examiner to produce references showing the claim features or withdraw the rejection as factually inadequate. For example, the Examiner is requested to produce a reference showing the specific use of cookies as recited in claims 50-53 and 104-109, and the specific use of polling, inboxes, and metadata recited in claims 16-19.

Therefore, the present application, as amended, overcomes the objections and rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 425-8508 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

DITTHAVONG & CARLSON, P.C.

9/12/2002
Date

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